

MESSAGE NO: 4293206 MESSAGE DATE: 10/19/2004

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-894

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/21/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY INVESTIGATION OF
CERTAIN TISSUE PAPER PRODUCTS FROM CHINA (A-570-894) CRITICAL
CIRCUMSTANCES EFF 06/23/04

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REFERENCE:

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CASES: A - 570 - 894

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PERIOD COVERED: 09 21 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY
INVESTIGATION OF CERTAIN TISSUE PAPER PRODUCTS FROM
CHINA (A-570-894) CRITICAL CIRCUMSTANCES EFF 06/23/04

1. ON SEPTEMBER 21, 2004, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE, PARTIAL AFFIRMATIVE PRELIMINARY DETERMINATION OF CRITICAL CIRCUMSTANCES AND POSTPONEMENT OF FINAL DETERMINATION: CERTAIN TISSUE PAPER PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA.

2. THIS INVESTIGATION COVERS CERTAIN TISSUE PAPER PRODUCTS FROM

THE PEOPLE'S REPUBLIC OF CHINA ("PRC"). THE TISSUE PAPER PRODUCTS SUBJECT TO INVESTIGATION ARE CUT-TO-LENGTH SHEETS OF TISSUE PAPER HAVING A BASIS WEIGHT NOT EXCEEDING 29 GRAMS PER SQUARE METER. TISSUE PAPER PRODUCTS SUBJECT TO THIS INVESTIGATION MAY OR MAY NOT BE BLEACHED, DYE-COLORED, SURFACE-COLORED, GLAZED, SURFACE DECORATED OR PRINTED, SEQUINED, CRINKLED, EMBOSSSED, AND OR DIE CUT. THE TISSUE PAPER SUBJECT TO THIS INVESTIGATION IS IN THE FORM OF CUT-TO-LENGTH SHEETS OF TISSUE PAPER WITH A WIDTH EQUAL TO OR GREATER THAN ONE-HALF (0.5) INCH. SUBJECT TISSUE PAPER MAY BE FLAT OR FOLDED, AND MAY BE PACKAGED BY BANDING OR WRAPPING WITH PAPER OR FILM, BY PLACING IN PLASTIC OR FILM BAGS, AND OR PLACING IN BOXES FOR DISTRIBUTION AND USE BY THE ULTIMATE CONSUMER. PACKAGES OF TISSUE PAPER SUBJECT TO THIS INVESTIGATION MAY CONSIST SOLELY OF TISSUE PAPER OF ONE COLOR AND OR STYLE, OR MAY CONTAIN MULTIPLE COLORS AND OR STYLES.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS NOT SPECIFICALLY CLASSIFIED UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). SUBJECT MERCHANDISE MAY ENTER UNDER ONE OR MORE OF SEVERAL DIFFERENT HTSUS SUBHEADINGS, INCLUDING: 4802.30; 4802.54; 4802.61; 4802.62; 4802.69; 4804.39; 4805.91.90; 4806.40; 4808.30; 4808.90; 4811.90; 4820.50.00; 4820.90; 4823.90; 9505.90.40. THE TARIFF CLASSIFICATIONS ARE PROVIDED FOR CONVENIENCE AND CBP PURPOSES; HOWEVER, THE WRITTEN DESCRIPTION OF

THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE THE FOLLOWING TISSUE PAPER PRODUCTS: (1) TISSUE PAPER PRODUCTS THAT ARE COATED IN WAX, PARAFFIN, OR POLYMERS, OF A KIND USED IN FLORAL AND FOOD SERVICE APPLICATIONS; (2) TISSUE PAPER PRODUCTS THAT HAVE BEEN PERFORATED, EMBOSSSED, OR DIE-CUT TO THE SHAPE OF A TOILET SEAT, I.E., DISPOSABLE SANITARY COVERS FOR TOILET SEATS; (3) TOILET OR FACIAL TISSUE STOCK, TOWEL OR NAPKIN STOCK, PAPER OF A KIND USED FOR HOUSEHOLD OR SANITARY PURPOSES, CELLULOSE WADDING, AND WEBS OF CELLULOSE FIBERS (4803.00.20.00 AND 4803.00.40.00).

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-894.

4. FOR IMPORTS OF CERTAIN TISSUE PAPER PRODUCTS, CUSTOMS AND BORDER PROTECTION ("CBP") SHALL SUSPEND LIQUIDATIONS OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER SEPTEMBER 21, 2004.

WE PRELIMINARILY DETERMINE THAT CRITICAL CIRCUMSTANCES EXIST FOR IMPORTS OF CERTAIN TISSUE PAPER PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA FOR ALL COMPANIES, EXCEPT FUJIAN NAOSHAN OR FUJIAN NAOSHAN PAPER INDUSTRY GROUP CO., LTD. OR RAOSHAN ("FUJIAN NAOSHAN"), BA MARKETING OR BA MARKETING AND INDUSTRIAL CO., LTD. ("BA MARKETING"), EVERLASTING OR EVERLASTING BUSINESS AND INDUSTRY CO., LTD. ("EVERLASTING"), NANPING OR FUJIAN NANPING INVESTMENT AND ENTERPRISE CO., LTD. ("NANPING"), XINJIFU OR FUJIAN XINJIFU ENTERPRISES CO., LTD. ("FUJIAN XINJIFU"), FUZHOU LIGHT OR FUZHOU LIGHT INDUSTRY IMPORT AND EXPORT CO., LTD. ("FUZHOU LIGHT"), FUZHOU MAGICPRO OR FUZHOU MAGICPRO GIFTS CO., LTD. ("FUZHOU MAGICPRO"), GUILIN OR GUILIN QIFENG PAPER CO., LTD. (FORMERLY GUILIN PAPER MILL) ("GUILIN"), MAX FORTUNE OR MAX FORTUNE INDUSTRIAL LIMITED ("MAX FORTUNE"), NINGBO SPRING OR NINGBO SPRING STATIONARY CO., LTD. ("NINGBO SPRING"), QINGDAO WENLONG OR QINGDAO WENLONG CO., LTD. ("QINGDAO WENLONG"), SAMSAM OR SAMSAM PRODUCTIONS LIMITED ("SAMSAM"), AND GUANGZHOU BAXI PRODUCTS CO., LTD. ("GUANGZHOU BAXI"). FOR FUJIAN NAOSHAN, BA MARKETING, EVERLASTING, NANPING, FUJIAN XINJIFU, FUZHOU LIGHT, FUZHOU MAGICPRO, GUILIN, MAX FORTUNE, NINGBO SPRING, QINGDAO WENLONG, SAMSAM AND GUANGZHOU BAXI LIQUIDATION SHOULD BE SUSPENDED EFFECTIVE SEPTEMBER 21, 2004. FOR ALL OTHER PRC ENTITIES AND CHINA NATIONAL OR CHINA NATIONAL AERO-TECHNOLOGY IMPORT AND EXPORT XIAMEN CORPORATION OR CATICXM ("CHINA NATIONAL"), LIQUIDATION SHOULD BE SUSPENDED EFFECTIVE JUNE 23, 2004.

EFFECTIVE SEPTEMBER 21, 2004, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE

MARGINS SHOWN BELOW:

MANUFACTURER OR EXPORTER CBP ID NUMBER MARGIN PERCENTAGE

FUJIAN NAOSHAN	A-570-894-002	9.55
SAMSAM	A-570-894-003	91.32
BA MARKETING	A-570-894-004	91.32
EVERLASTING	A-570-894-005	91.32
NANPING	A-570-894-006	91.32
FUJIAN XINJIFU	A-570-894-007	91.32
FUZHOU LIGHT	A-570-894-008	91.32
FUZHOU MAGICPRO	A-570-894-009	91.32
GUILIN	A-570-894-010	91.32
QINGDAO WENLONG	A-570-894-011	91.32
MAX FORTUNE	A-570-894-012	91.32
NINGBO SPRING	A-570-894-013	91.32
GUANGZHOU BAXI	A-570-894-014	91.32

EFFECTIVE JUNE 23, 2004, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

PRC-WIDE RATE	A-570-894-000	163.36
CHINA NATIONAL	A-570-894-001	125.58

5. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF THE CBP SERVICE, CBP OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING DUTIES, CBP OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:JL/RK).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party